

## **COUNTY COUNCIL**

Minutes of a meeting of the County Council held in the Council Chamber, County Hall, Ruthin and by video conference on Tuesday, 28 February 2023 at 10.00 am.

### **PRESENT**

Councillors Michelle Blakeley-Walker, Joan Butterfield, Jeanette Chamberlain-Jones, Ellie Chard, Kelly Clewett, Ann Davies, Karen Edwards, Pauline Edwards, Gwyneth Ellis, James Elson, Hugh Evans, Justine Evans, Bobby Feeley, Gill German, Jon Harland, Elen Heaton, Huw Hilditch-Roberts, Martyn Hogg, Carol Holliday, Hugh Irving, Alan James, Delyth Jones, Paul Keddie, Diane King, Geraint Lloyd-Williams, Julie Matthews, Jason McLellan, Barry Mellor, Terry Mendies, Win Mullen-James, Merfyn Parry, Pete Prendergast (Vice-Chair), Arwel Roberts (Chair), Gareth Sandilands, Peter Scott, Andrea Tomlin, Cheryl Williams, Elfed Williams, Eryl Williams, Emrys Wynne and Mark Young

### **ALSO PRESENT**

Chief Executive (GB); Corporate Directors: Communities (NS); Governance and Business/Monitoring Officer (GW), and Environment and Economy (TW); Head of Finance and Property (SG); Interim Joint Head of Business Improvement and Modernisation (NK); Strategic Planning and Performance Team Leader (IM), and Committee Administrators (SLW and SJ [Webcaster])

Behaviour Change Officer (AC), Climate Change Project Manager (LWJ) and Communications Officer (AJ) for Item 4 Chair's Diary – Climate and Ecological Change "Postcard from the Future" Competition

The Curriculum Enrichment Co-ordinator (SD) for Item 4 Chair's Diary – Denbighshire Schools Art Competition "Beth Syn Eich Gwneud Chi'n Hapus" "What Makes You Happy"

### **1 APOLOGIES**

Apologies were received from Councillors Chris Evans, Raj Metri, Huw Williams and Brian Jones.

### **2 DECLARATIONS OF INTEREST**

None.

### **3 URGENT MATTERS AS AGREED BY THE CHAIR**

No urgent matters were raised.

Question put forward by Councillor Mark Young –

We would have all seen the shocking news story: Rhyl - A Welsh tourist hotspot has been named amongst the worst sewage-polluted coastal areas in the UK.

New data has revealed the extent to which rivers, canals, the sea and other bodies have been polluted by water companies.

Sadly, Rhyl in Denbighshire North Wales is listed in the top 10 in the UK.

What work is taking place by our local authority working with Natural Resources Wales to ensure that we have an agreed plan with Welsh Water which changes this disheartening situation?

Councillor Barry Mellor, Lead Member for Environment and Transport thanked Councillor Young for his question and responded that although water quality and pollution were a real concern, headlines could be misleading. Councillor Mellor advised that the assessment in this news report counted all storm sewage spills that discharged into the River Clwyd catchment area and eventually flowed into Rhyl. However, spills higher up the catchment had less impact in Rhyl due to bacterial decay. He advised that most of the spills in this assessment were higher up the catchment where the impact on Rhyl beach was very minor and despite the headlines, the bathing quality status of Rhyl was classed as sufficient rather than poor.

Councillor Mellor outlined the sewer storm overflow arrangements, which also served to protect properties in very wet weather, and measures to reduce pollution. He reported that the Council worked closely with Natural Resources Wales and Welsh Water and other stakeholders to tackle water quality problems. Councillor Mellor advised that efforts continued with the aim of improving the water quality status in Rhyl from sufficient to good; and importantly to ensure that the status did not drop from sufficient to poor.

Councillor Mark Young responded highlighting that Prestatyn had Blue Flag status and this should also be the aim for Rhyl.

At this juncture, the Leader, Councillor Jason McLellan made an announcement regarding Betsi Cadwaladr University Health Board.

He reported that he, the Council's Chief Executive, other council leaders and chief executives, had an emergency meeting with Eluned Morgan, the Minister for Health and Social Services of Wales regarding Betsi Cadwaladr University Health Board (BCUHB). The meeting followed the publication of a report last week by Audit Wales into the BCHUB Executive Board and concerns about the worrying degree of dysfunctionality of the Board and the Senior Leadership of BCUHB and confirmed that BCUHB was now back in special measures. The Leader reported that the new Chair of the Board was Dyfed Edwards, a former Leader of Gwynedd County Council. The Leader reported that the priority going forward was to employ a permanent Chief Executive and he added that the Audit Wales report made for shocking reading and that residents deserved better.

The Leader concluded his statement by confirming that the County Council would work to support the BCUHB and that members of the Council would be kept informed of developments.

#### **4 CHAIRMAN'S DIARY**

The Chair, Councillor Arwel Roberts, introduced his diary of events.

At this juncture the Lead Member for Environment and Transport, Councillor Barry Mellor, introduced the Postcards from the Future Competition results. A presentation was shown to all Members. There had been 350 entries from 16 schools. The list of winners were read out to members. All present thanked the school children who had taken part and congratulated all the winning entrants.

The Curriculum Enrichment Co-ordinator introduced the winner of the “what makes you happy” competition which had recently taken place. The winner was a pupil from Ysgol Y Parc. Again, congratulations were offered.

#### **5 MINUTES**

The minutes of Full Council held on 31 January 2023 were submitted.

Item 5 – Budget 2023-2024 – Final Proposals. Councillor Huw Hilditch-Roberts queried why his question to the Lead Member for Finance, Councillor Gwyneth Ellis, had not been included in the minutes. His question had related to the Council meeting in January 2022 where he reported that Councillor Ellis had voted in favour of an amendment proposed by a former member of her political group, for 0% rise in the Council Tax.

The Monitoring Officer, Gary Williams, responded that the minutes were not a verbatim report of the meeting.

Councillor Emrys Wynne proposed, seconded by Councillor Julie Matthews that the minutes of the meeting held on 31 January 2023 be approved.

***RESOLVED*** that the minutes of the Council meeting held on the 31 January 2023 be confirmed as a correct record.

#### **6 COUNCIL TAX 23/24 AND ASSOCIATED MATTERS**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Council Tax 2023/2024 and Associated Matters report (previously circulated).

In adopting the resolutions of the Council budget meeting of the 31 January 2023 it was necessary for the Council to pass further resolutions in a particular form to ensure that the Council Tax and its associated matters were legally valid.

The Head of Finance and Audit also added his summary of the issues raised in the report.

Councillor Hugh Irving raised an issue regarding the rise in the precept for the Police and Crime Commissioner, but he was concerned that Prestatyn, which was the largest town in Denbighshire, did not have a Police Station. At this juncture, the

Monitoring Officer recommended a Notice of Motion be put forward to discuss the issue at a future meeting as it did not directly relate to the setting of Council Tax levels.

Councillor Irving agreed to this suggestion and urged the lead members and officers present in the meeting to support the efforts to secure a permanent Police presence in Prestatyn.

Councillor Gwyneth Ellis PROPOSED the recommendations of the Council Tax 23/24 and Associated Matters report, SECONDED by Councillor Mark Young.

**RESOLVED** that –

- (i) *the County Council, as the Billing Authority, has considered the precepts received from the Police and Crime Commissioner for North Wales and the Town/Community Councils and declared the Council Tax levels for the 2023/24 financial year;*
- (ii) *the amounts calculated by the Council for the 2023/24 financial year, in accordance with Sections 32 to 34 (1) of the Local Government Finance Act 1992 (the Act) and Alteration of Requisite Calculations (Wales) Regulations 2008 be as Appendix A section 3;*
- (iii) *the amounts calculated by the Council for the 2023/24 financial year, in accordance with Sections 34(2) to 36 (1) of the Local Government Finance Act 1992 (the Act) be as Appendix A section 4;*
- (iv) *that the amounts of Council Tax for the 2023/24 financial year for each of the categories of dwellings be as shown in Appendix C; and*
- (v) *that the level of discount for Class A, B and C as prescribed under the Council Tax (Prescribed Class of Dwellings) (Wales) Regulations 2004 be set at zero for the financial year 2023/24 with the caveat that this is dependent on no changes to legislation or local conditions.*

## **7 CAPITAL PLAN 2022/23 - 2025/26 AND RECOMMENDATIONS OF THE BUDGET BOARD - CAPITAL**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Capital Plan 2022/23 – 2025/26 and Recommendations of the Budget Board - Capital report (previously circulated).

Members were provided with an updated Capital Plan including an update on major projects and the corporate plan. The report also included the Capital Strategy Report for 2023/24. This provided a high level, concise and comprehensive overview to members of how capital expenditure, capital financing and treasury management activity contributed to the provision of the Council's services.

The Head of Finance and Property summarised the report highlighting the main points.

During discussions the following points were raised:

- Page 41, Capital Programme – Gypsy and Traveller Site Accommodation. Councillor Peter Scott queried the purpose of the inclusion of feasibility funding in the capital plan. The Head of Finance and Audit confirmed that the allocation simply made funding available should the Council's processes and decisions on gypsy and traveller site accommodation require it.
- Councillor Terry Mendies queried why Denbighshire Leisure Limited did not appear in the Capital Plan, and he reported on his efforts to secure more information on the role, activities and financing of Denbighshire Leisure Limited. The Monitoring Officer confirmed that a briefing on Denbighshire Leisure was being arranged for members.  
The Head of Finance and Audit gave a summary of Denbighshire Leisure's budget and accounting arrangements, for example in the budgets retained by the Council for repairs and maintenance. He highlighted that the core management and Service Level Agreement funding paid to Denbighshire Leisure, amounting to some £2 million, had not increased since the company, which was wholly owned by the Council, had been established. This meant that the company had absorbed the financial pressures over the last three years.
- In response to Councillor Butterfield's query, it was confirmed that funding for the Beach Rake and Chewing Gum Removal machine was almost entirely from external sources, and the Flying Start accommodation funding had been acquired from the Welsh Government for building work to enable the offering of more Flying Start places.
- In response to a query of why the figures in Appendix 3 appeared so high, members were advised that Appendix 3 contained only gross costs incurred but did not show income from grant funding, so the income and expenditure streams in this report were shown separately. Members were advised that Appendix 1 to the report gave the high level summary of the capital plan.
- Councillor Gill German responded to Councillor Mark Young by confirming that the budget allocated for a school (Ysgol Plas Brondyffryn) ensured that funding would be available for whatever the Council decided to do, and the sum could be carried forward to future financial years if necessary. The Head of Finance and Audit confirmed that this was also the case for the allocation towards the Corwen Pavilion Development. In respect of Ysgol Plas Brondyffryn, Councillor Rhys Thomas urged the Council to be careful in its use of terminology when describing progress, as the use of 'implementation' had been misinterpreted by some to mean a progression to building works starting. The Lead Member, Councillor German, added that public statements about Ysgol Plas Brondyffryn had been qualified to represent the accurate position.

Councillor Gwyneth Ellis PROPOSED the recommendations of the Capital Plan 2022/23 – 2025/26 and Recommendations of the Budget Board - Capital report, SECONDED by Councillor Peter Scott.

**RESOLVED** that Council:

- (i) *notes the latest position on the 2022/23 element of the Capital Plan and the update on major projects;*
- (ii) *supports the recommendation of the Budget Board – Capital as detailed in appendix 5 and summarised in appendix 6;*
- (iii) *approves the 2023/24 Capital Plan; and*
- (iv) *approves the Capital Strategy Report for 2023/24 as detailed in appendix 7*

**AT THIS JUNCTURE THERE WAS A 15 MINUTE BREAK (11.55 A.M.)**

**THE MEETING RECONVENED AT 12.10 P.M.**

At this juncture the Chair agreed to vary the order of the next two items of business.

## **8 CONWY AND DENBIGHSHIRE PSB WELL-BEING PLAN 2023 TO 2028**

The Leader, Councillor Jason McLellan introduced the Conwy and Denbighshire Public Services Board (PSB) Well-being Plan 2023 to 2028 (previously circulated) for a decision to be made by Council to support this statutory Well-being Plan as a partner on the Conwy and Denbighshire Public Services Board.

The Interim Head of Business Improvement and Modernisation, Nicola Kneale, and the Strategic Planning and Performance Team Leader, Iolo McGregor, gave an overview of the report.

In 2015 the Well-being of Future Generations (Wales) Act established Public Services Boards (PSBs) for each local authority area in Wales. The Act placed a statutory requirement on each PSB to produce a local Well-being Plan for their area that set out how it intended to improve the economic, social, environmental and cultural well-being of its area.

The PSBs Well-being Plan had been developed alongside the Council's Corporate plan.

Following a brief discussion, the Leader, Councillor Jason McLellan PROPOSED acceptance of the Conwy and Denbighshire Public Services Board (PSB) Well-being Plan 2023 to 2028, SECONDED by Councillor Gareth Sandilands.

**RESOLVED** that Council –

- (i) *Notes the Public Services Board's Well-being Plan contained in appendix 1 (particularly in the context of the Council's own Corporate Plan) and gives its approval and support for the plan; and*
- (ii) *Confirms that it has read, understood and taken account of the Well-being Impact Assessment (appendix 2) as part of its consideration.*

## **9 TREASURY MANAGEMENT STRATEGY STATEMENT (TMSS) 2023/24 AND PRUDENTIAL INDICATORS 2023/24 TO 2025/26 (APPENDIX 1)**

The Lead Member for Finance, Performance and Strategic Assets, Councillor Gwyneth Ellis, introduced the Treasury Management Strategy Statement (TMSS) 2023/24 and Prudential Indicators 2023/24 to 2025/26 (Appendix 1) report (previously circulated).

The Head of Finance and Audit advised that this was an annual report and one also taken to the Governance and Audit Committee. The TMSS (Appendix 1) showed how the Council would manage its investments and its borrowing for the coming year and set the policies within which the treasury management function operated. He also reported that the training session held for members on this topic had been well received.

Councillor Gwyneth Ellis PROPOSED acceptance of the Treasury Management Strategy Statement (TMSS) 2023/24 and Prudential Indicators 2023/24 to 2025/26 (Appendix 1) report, SECONDED by Councillor Carol Holliday.

**RESOLVED** that Council –

- (i) Approves the Treasury Management Strategy Statement for 2023/24 (appendix 1);
- (ii) Approves the setting of Prudential Indicators for 2023/24, 2024/25 and 2025/26 (Appendix 1 Annex A);
- (iii) Approves the Minimum Revenue Provision Statement (Appendix 1 Section 6); and
- (iv) Confirms it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.

## 10 COUNTY COUNCIL FORWARD WORK PROGRAMME

The Corporate Director – Business and Governance, introduced the Council Forward Work Programme, together with the Council Workshop Forward Work Programme (previously circulated).

The Director advised that the next Council meeting will be the Annual Meeting of Council scheduled to be held on the 9 May 2023. Group Leaders would be requested to submit nominations for the office of Vice-Chair of the Council for the 2023/24 municipal year.

In response to a question from Councillor Huw Hilditch-Roberts, the Corporate Director: Environment and Economy advised that the Waste and Highways items on the Council Workshop Forward Work Programme would be swapped so the Highways Maintenance update would be presented at the 16 May 2023 meeting and the Waste Model item would be presented at the 5 December 2023 meeting.

The Chief Executive advised members that the items listed on the Council Workshop forward work programme received regular attention in order to allocate them to appropriate Workshop sessions.

**RESOLVED** that the Council and Council Workshop Forward Work Programme be approved and noted.

**THE MEETING CONCLUDED AT 12:52 P.M.**